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May 14, 2010

Our Ref: 434-03/WDM/GMV

****Request for Scheduling of Last Day of Trial****

BY ECF

The Honorable Edward R. Korman
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Henry Marine, et.al. v. The City of New York
09 cv 3512 (ERK) (VVP)

Dear Judge Korman:

We represent the City in the referenced matter which involves the marine salvage claims of Claimants arising out of the 2003 Staten Island ferry casualty. As the Court may recall, trial was held in March 2010 and was held open for Claimants to call one rebuttal witness who had to travel out of the country – John Poulson, who inspected the ferry after the casualty. The City had objected to Claimants' calling Mr. Poulson, but withdrew that objection on the understanding that Mr. Poulson's testimony would be limited to issues relating to shoring of the structure after the casualty.

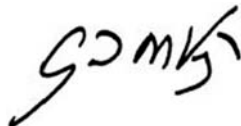
The Court suggested that the parties attempt to reach a stipulation as to the content of Mr. Poulson's testimony in lieu of having a hearing, failing which the Court would schedule a one-day hearing to complete Mr. Poulson's testimony. Despite efforts, the parties have not been able to agree on a proposed stipulation. Accordingly, we are writing to request that the Court schedule the last day of trial. The parties anticipate that the trial can be completed, including Mr. Poulson's testimony, within 2 to 3 hours, perhaps less.

We have spoken to Ms. Paula Marie Susi regarding scheduling and she suggested that May 25 or May 26 might be available for the Court. We have now spoken to all counsel and Mr. Poulson, all of whom are available on May 26. Accordingly, provided May 26 is acceptable to the Court, we respectfully request that the remainder of the trial be set for May 26, 2010.

May 14, 2010
Page 2 of 2

We thank the Court for its consideration.

Respectfully submitted,
FREEHILL HOGAN & MAHAR, LLP

A handwritten signature in black ink, appearing to read "GDM/V", likely representing Gina M. Venezia.

GMV:lu

Wayne D. Meehan
Gina M. Venezia

cc: Via Email :
James E. Ryan
James Mercante
Andrew Maloney / Justin Green